

# **EXHIBIT 4**

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**Subject:** Re: Compass Lexecon Subpoena: In re: Insulin Pricing Litigation, 2:23-md-03080 (D.N.J.)  
**Date:** Monday, December 16, 2024 2:48:31 PM  
**Attachments:** [image001.png](#)  
[Diabetes Medication NDCs.xlsx](#)

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PBM Counsel,

Responding to the communication below, and including Compass Lexecon counsel for notice purposes: Defendants' privilege claims and other objections related to Plaintiffs' subpoena to Compass Lexecon are untimely and unsupported. At a minimum, Compass Lexecon should immediately produce relevant data responsive to the subpoena while the parties meet and confer on Defendants' objections.

Specifically, Request 1 asks for all Documents and data that Compass Lexecon collected, received, reviewed, or relied on in connection with the Carlton Report. The PBM Defendants provided to Compass Lexecon (at least) "data on approximately 20 billion 30-day equivalent prescriptions representing more than a trillion dollars in drug expenditures . . ." **We request that Compass Lexecon immediately produce all such data related to the Diabetes Medications at issue in MDL No. 3080 (NDCs listed in attached).** This data clearly is not privileged and the burden associated with its production would be minimal given that the data has already been compiled and produced. Please let us know if you agree with this request. In addition, please provide dates/times of availability Wednesday or later of this week for the PBM Defendants and Compass Lexecon to meet and confer on the subpoena.

Plaintiffs reserve all rights related to all requests in the subpoena.

-Johan

Johan Conrod



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**From:** Harvey, Patrick A.

**Date:** Friday, November 22, 2024 at 3:58 PM

**To:** Joanne Cicala

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**Subject:** In re: Insulin Pricing Litigation, 2:23-md-03080 (D.N.J.)

Counsel:

Please see the attached letter from the PBM Defendants regarding the Compass Lexecon Subpoena.

Regards,

Pat

**Patrick A. Harvey**

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